

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JAMES L. FRAZIER

PLAINTIFF

vs.

Civil No. 2:15-cv-02247

CAROLYN COLVIN
Commissioner, Social Security Administration

DEFENDANT

MEMORANDUM OPINION

On January 18, 2015, James L. Frazier (“Plaintiff”) filed this Motion to Dismiss. ECF No. 11. According to Plaintiff, he seeks a voluntary non-suit. *Id.* Defendant has not objected to this motion and according to Plaintiff is not opposed to the granting of this motion. The parties have consented to the jurisdiction of a magistrate judge to conduct any and all proceedings in this case, including conducting the trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. ECF No. 7. Pursuant to this authority, the Court issues this memorandum opinion and orders the entry of a final judgment in this matter.

Absent any pending counterclaims, a court is authorized to dismiss a case at the Plaintiff’s request on the terms that the court considers proper. FED. R. CIV. P. 41(a)(2). Defendant has asserted no counterclaims and has not objected to this motion. After taking into consideration said Motion, the Court finds the Plaintiff’s motion should be **GRANTED** and Plaintiff’s case be dismissed without prejudice.

ENTERED this day of 20th January 2016.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE